

ORDINANCE NO. 2002-\_\_\_\_\_

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, PROVIDING FOR THE ADOPTION OF A HOME RULE CHARTER; PROVIDING FOR THE PREAMBLE; PROVIDING FOR THE CREATION AND POWERS OF HOMERULE CHARTER GOVERNMENT; PROVIDING FOR THE RELATIONSHIP OF COUNTY ORDINANCES TO MUNICIPAL ORDINANCES; PROVIDING FOR AN ELECTED COMMISSION AND APPOINTED COUNTY ADMINISTRATOR FORM OF GOVERNMENT; PROVIDING FOR NON-PARTISAN ELECTIONS OF COUNTY COMMISSIONERS; PROVIDING FOR THE LEGISLATIVE AND EXECUTIVE BRANCHES OF GOVERNMENT; PROVIDING FOR THE APPOINTMENT OF A COUNTY ADMINISTRATOR AND COUNTY ATTORNEY; PROVIDING FOR THE PRESERVATION OF ELECTED COUNTY CONSTITUTIONAL OFFICERS; PROVIDING THAT THE SUPERVISOR OF ELECTIONS SHALL BE NON-PARTISAN; PROVIDING THAT THE LEON COUNTY CLERK OF COURT SHALL SERVE AS AUDITOR TO THE COMMISSION; PROVIDING FOR AN AUDIT COMMITTEE; PROVIDING FOR CITIZEN INITIATIVES FOR COUNTY ORDINANCES AND CHARTER AMENDMENTS; PROVIDING FOR THE RECALL OF COMMISSIONERS; PROVIDING FOR TRANSITION PROCEDURES; PROVIDING FOR CHARTER AMENDMENT PROCEDURES; PROVIDING FOR A CHARTER REVIEW COMMISSION; PROVIDING FOR A BALLOT QUESTION TO BE POSED TO THE LEON COUNTY ELECTORATE AT THE SPECIAL ELECTION ON NOVEMBER 5, 2002; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Leon County, Florida, is presently a non-charter county government as established under Article VIII, Section 1(f), Florida Constitution; and

WHEREAS, Article VIII, Sections 1(c) and 1(g), Florida Constitution, provide that a county government may be established by charter, which shall be adopted upon a majority vote of the electors of the county; and

1 municipality, the school board, or a special district, shall be subject to approval by local referendum  
2 to the extent that they are not in conflict with this Charter. All special laws so approved shall  
3 become ordinances, and may be subject to amendment or repeal by the Board of County  
4 Commissioners.

5 **ARTICLE II. ORGANIZATION OF COUNTY GOVERNMENT**

6 **Sec. 2.1. Elected Commission and appointed County Administrator form of**  
7 **government.**

8 Leon County shall operate under an elected County Commission and an appointed County  
9 Administrator form of government with separation of legislative and executive functions in  
10 accordance with the provisions of this Home Rule Charter. The legislative responsibilities and  
11 powers of the County shall be assigned to, and vested in, the Board of County Commissioners. The  
12 executive responsibilities and power of the County shall be assigned to, and vested in, the County  
13 Administrator, who shall carry out the directives and policies of the Board of County Commissioners  
14 and enforce all orders, resolutions, ordinances and regulations of the Board, the Charter and all  
15 applicable general law to assure that they be faithfully executed.

16 **Sec. 2.2. Legislative Branch.**

17 **(1) The County Commission.**

18 The governing body of the County shall be a Board of County Commissioners composed of  
19 seven (7) members serving staggered terms of four (4) years. There shall be one (1) Commissioner  
20 elected for each of the five (5) County Commission districts, established pursuant to general law or  
21 by ordinance, and they shall be elected by the electors of that district. There shall be two (2) At-  
22 large Commissioners elected on a countywide basis by the electors of the County. Elections for all

1 seven (7) members of the County Commission shall be non-partisan. Each candidate for the office  
2 of district County Commissioner shall reside within the district from which such candidate seeks  
3 election at the time of qualifying to run for that office, and during the term of office each  
4 Commissioner shall reside in the district from which such Commissioner ran for office, provided  
5 that any Commissioner whose residence is removed from a district by redistricting may continue to  
6 serve during the balance of the term of office.

7 **(2) Redistricting.**

8 Redistricting of County Commission district boundaries shall be in accordance with general  
9 law, changed only after notice and a public hearing as provided by general law.

10 **(3) Salaries and Other Compensation.**

11 Salaries and other compensation of the County Commissioners shall be established by  
12 ordinance, and salary shall not be lowered during an officer's term in office.

13 **(4) Authority.**

14 The Board of County Commissioners shall exercise all legislative authority provided by this  
15 Home Rule Charter in addition to all other powers and duties authorized by general law or special  
16 law approved by a vote of the electorate.

17 **(5) Vacancies.**

18 A vacancy in the office of County Commissioner shall be defined and filled as provided by  
19 general law.

20 **(6) Administrative Code.**

21 The County Commission shall adopt an administrative code in accordance with general law.  
22

Statutes » Title 11 » Ch. 125 » Sec. 125.87

**Administrative code; adoption and amendment.**

(1) Following the organization of the first board of county commissioners elected pursuant to a charter, the board of commissioners shall adopt an administrative code organizing the administration of the county government and setting forth the duties and responsibilities and powers of all county officials and agencies pursuant to the provisions of the charter.

(2) The administrative code shall be effective upon adoption or as otherwise provided therein, and all existing agencies shall assume the form, perform the duties, and exercise the power granted them under the administrative code and shall do so in the manner prescribed.

**History**

s. 2, ch. 74-193.